

#113333

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

Docket No.: 4002-2566

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHODS AND INSTRUMENTATION FOR VERTEBRAL INTERBODY FUSION**, the specification of which

(check one) ☐ is attached hereto.
☒ was filed on Jan. 8, 2001 as Application Serial No. 09/756,492
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)
(Country)
(Day/Month/Year Filed)
Yes No

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

Application Number

Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/498,426</u>	<u>Feb. 4, 2000</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status - patent/pending/abandoned)

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status - patent/pending/abandoned)

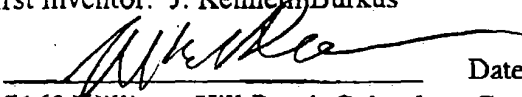
I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harold R. Woodard, No. 16,214; C. David Emhardt, No. 18, 483; Joseph A. Naughton, Jr., No. 19, 814; John V. Moriarty, No. 26,207; John C. McNett, No. 25,533; Thomas Q. Henry, No. 28,309; James M. Durlacher, No. 28,840; Charles R. Reeves, No. 28,750; Vincent O. Wagner, No. 29,596; Steve Zlatos, No. 30,123; Spiro Bereveskos, No. 30,821; William F. Bahret, No. 31,087; Clifford W. Browning, No. 32,201; R. Randall Frisk, No. 32,221; Daniel J. Lueders, No. 32,581; Kenneth A. Gandy, No. 33,386; Timothy N. Thomas, No. 35,714; Kerry P. Sisselman, No. 37,237; Kurt N. Jones, 37,996; John H. Allie, No. 39,088; Holiday W. Banta, No. 40,311; Troy J. Cole, No. 35,102; L. Scott Paynter, No. 39,797; J. Andrew Lowes, No. 40,706; Matthew R. Schantz, No. 40,800; Gregory B. Coy, No. 40,967; Lisa A. Hiday, No. 40,036; John V. Daniluck, No. 40,581; Christopher A. Brown, 41,642; Charles J. Meyer, 41,996; Arthur J. Usher IV, 41,359; Scott J. Stevens, 29,446; James B. Meyers, 42,021; C. John Brannon, 44,557; Jason J. Schwartz, 43,910; Douglas A. Collier, 43,556; C. Amy Smith, No. 42,931, and Brad A. Shepers, No. 45,431.

Address all telephone calls to: Douglas A. Collier at (317) 634-3456
 Address all correspondence to: Douglas A. Collier, Esquire
 Woodard, Emhardt, Naughton, Moriarty & McNett
 Bank One Center/Tower
 111 Monument Circle, Suite 3700
 Indianapolis, Indiana 46204-5137

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: J. Kenneth Burkus

Inventor's

Signature: 

Date of Signature: February 3rd, 2001

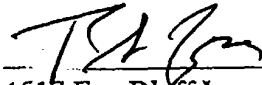
Residence: 7162 Williams Hill Road, Columbus, Georgia 31904

Citizenship: U.S.A.

Post Office Address: 7162 Williams Hill Road, Columbus, Georgia 31904

Full name of second inventor: Thomas A. Zdeblick

Inventor's

Signature: 

Date of Signature: February 3, 2001

Residence: 4517 Fox Bluff Lane, Middleton, WI 53562

Citizenship: U.S.A.

Post Office Address: 4517 Fox Bluff Lane, Middleton, WI 53562

Full name of third inventor: Thomas V. McGahan

Inventor's

Signature: 

Date of Signature: FEBRUARY 2ND, 2001

Residence: 4904 Harvest Fields Circle, Memphis, Tennessee 38125

Citizenship: U.S.A.

Post Office Address: 4904 Harvest Fields Circle, Memphis, Tennessee 38125

Full name of fourth inventor: Steven D. DeRidder

Inventor's

Signature: 

Date of Signature: FEBRUARY 2ND 2001

Residence: 6255 Skylight Drive, Bartlett, Tennessee 38135

Citizenship: U.S.A.

Post Office Address: 6255 Skylight Drive, Bartlett, Tennessee 38135